

REMARKS

Claims 1-32 are pending the present application. By this amendment, various sections of the specification have been amended to cure typographical errors. Due to a Restriction Requirement claims 1-9 have been elected and examined and claims 10-32 have been withdrawn from consideration. Claims 1-9 stand rejected. The Applicant respectfully requests reconsideration of the rejections for the following reasons.

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Simendinger et al. (WO 97/21230) further in view of Neuhaufen (WO 96/41356) or Shrier et al. (WO 96/02924). The Applicant respectfully disagrees with this rejection based on the following reasons.

With respect to independent claim 1, the present Office Action asserts that Simendinger et al. discloses the features of this claim except for a self-supporting type voltage variable material substrate. The Office Action then alleges that formation of the VVM in the form of green film or sheets would have been obvious using calendaring or by compression molding and this would meet the limitation of self-supporting, curable substrate. Notwithstanding, in order to properly establish obviousness there must be a suggestion in the prior art, whether in the references or in the knowledge of persons of ordinary skill in the art, to suggest a desirability of the claimed features. Additionally, there must also be a reasonable expectation of success. Both of these requirements are missing in the present rejection.

First, the Office Action has not provided any meaningful suggestion or motivation to modify the teachings of Simendinger et al. to come up with a self-supporting VVM material substrate. The device 1 shown in Fig. 1 of Simendinger et al. utilizes first and second resistive elements 7 and 13. These elements 7 and 13 have different polymeric compositions. No teaching or suggestion is given in the reference or offered from knowledge known to those of ordinary skill in the art that these compositions would indeed become self-supporting by calendaring, compression molding or any other known process in the conventional art.

Furthermore, the Office Action has failed to show that there would be a reasonable expectation of success using these methodologies with the specific compositions taught by Simendinger to achieve a self-supporting, curable insulative binder. Indeed, the teachings of Simendinger akin to the conventional art and a problem with known VVM's is that they are not

structurally freestanding. Thus, the Applicants respectfully submit that a substantive motivation to modify Simendinger is needed to establish a *prima-facie* case of obviousness and that, further, the proposed modification of Simendinger is not actually provide a reasonable expectation of success.

Accordingly, the Applicant respectfully submits that the present Office Action has not established a *prima-facie* case of obviousness and requests that the rejection be withdrawn, accordingly.

With respect to dependent claims 2-9, these claims are believed to be allowable on the merits and also due to there ultimate dependency on independent claim 1, discussed above.

In light of the forgoing comments, the Applicant respectfully submits that the application is allowable over the prior art of record and requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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